

SCHeney J

NOURSE & BOWLES, LLP
 Attorneys for Defendant
 DZI GENERAL INSURANCE PLC
 One Exchange Plaza
 At 55 Broadway
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UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

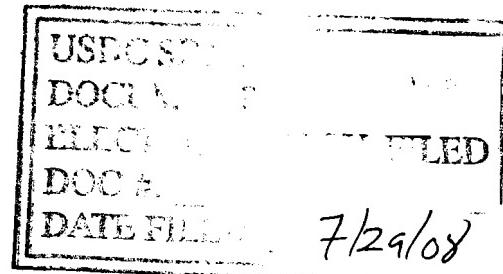
FINO MARINE S.A., X

Plaintiff,

- against -

DZI GENERAL INSURANCE PLC and
 KREMIKOVTCI CORPORATION,

Defendants.



X 08 Civ. 3878 (RMB)

**ORDER ON CONSENT
 RELEASING ATTACHMENTS,
 VACATING ATTACHMENTS
 ORDER AND DISMISSING
 ACTION AS AGAINST DEFENDANT,
DZI GENERAL INSURANCE PLC**

WHEREAS plaintiff, Fino Marine S.A. ("Plaintiff" or "Fino") commenced this action on or about April 24, 2008 to obtain security for claims against defendants, DZI General Insurance PLC ("DZI") and Kremikovtzi Corporation ("KC") (collectively "Defendants") pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure;

AND WHEREAS the Court issued an order of attachment against both Defendants ("Order of Attachment") on April 25, 2008;

AND WHEREAS Plaintiff, as best as is known to date, has received notice from the following garnishee banks that DZI's funds have been attached in the amount of \$141,448.87 as follows (the "DZI Attached Funds"):

\$ 8,992.00 of DZI attached at JPMorgan Chase on or about 5/30/08
1,641.87 of DZI attached at Citibank on or about 4/29/08
68,850.00 of DZI attached at Citibank on or about 5/8/08
<u>61,965.00 of DZI attached at Citibank on or about 5/8/08</u>
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\$141,448.87 Total

AND WHEREAS Fino has now settled its underlying claim against DZI and has agreed to accept \$115,000 in full and final settlement and satisfaction of its claim against DZI which settlement is to be payable from the DZI Attached Funds, with the balance of same to be remitted as directed below;

IT IS NOW ORDERED AS FOLLOWS:

1. The following DZI Attached Funds in the amount of \$115,000 are to be transferred to plaintiff's English solicitors, Ince & Co. (banking details: The Royal Bank of Scotland plc, 5-10 Great Tower Street. London, EC3P 3HX, United Kingdom, Account name: Ince USD Client Account, Number: INCE-USDC, IBAN: GB48RBOS 1663 0000 1057 60, Quoting "Jovial Duckling – settlement monies OW/GCH/8179/8187" when remitting funds):

\$ 8,992.00 attached from attachment at JPMorgan Chase
1,641.87 attached from attachment at Citibank
68,850.00 attached from attachment at Citibank
35,516.13 of the \$61,965.00 from attachment at Citibank

2. The balance of the \$61,965 attached at Citibank in the approximate amount of \$26,448.87 (the exact amount of the \$61,965 balance to be remitted under this clause is subject to any banking fees), together with any other unknown attached funds of DZI are to be wired pursuant to instructions that will be given to garnishee, Citibank, from Nourse & Bowles, LLP, attorneys for DZI.

3. The Order of Attachment and all writs of attachment as to defendant, DZI, are vacated.

4. This action as to defendant, DZI, is hereby dismissed, with prejudice, but without costs in favor of one party against the other.

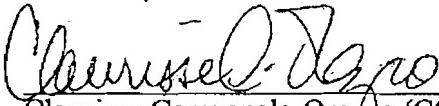
Clerk to close this case.

Dated: New York, New York
July 29 2008

RMB
U.S.D.J.

We consent to entry of the foregoing order:

TISDALE LAW OFFICES, LLC.
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FINO MARINE, S.A.

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